

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DAVID A. MAPLES,

Plaintiff,

Case No. 06-14775

HON. BERNARD A. FRIEDMAN

vs.

COUNTY OF MACOMB, et al.,

Defendants.

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**MEMORANDUM OPINION AND ORDER**

This matter is before the Court on Magistrate Judge R. Steven Whalen's Report and Recommendation ("R and R") dated August 13, 2007. A copy of the R and R was served on Plaintiff on August 13, 2007. R and R p. 10. Plaintiff filed objections on August 29, 2007. Any objections must be filed within ten days of service. 28 U.S.C. § 636(b)(1) and E.D.Mich. LR 72.1(d)(2). Plaintiff's objections were not timely filed. However, although Plaintiff's objections were not timely filed, the Court has reviewed them, and has considered them in this ruling.

This Court had an opportunity to fully review this matter and believes that the Magistrate Judge has reached the correct conclusions for the proper reasons.

ACCORDINGLY:

IT IS HEREBY ORDERED that Magistrate Judge R. Steven Whalen's Report and Recommendation dated August 13, 2007, is hereby accepted and adopted.

IT IS FURTHER ORDERED Defendant Carl Marlinga's Motion for Summary Judgment (D.E. 9) be GRANTED.

IT IS FURTHER ORDERED that Defendant James Sullivan's Motion for Summary Judgment (D.E. 24) be GRANTED.

IT IS FURTHER ORDERED that Plaintiff's Motion (D.E. 26), construed as a request to withdraw his claims against Defendant Macomb County Circuit Court be GRANTED.

Dated: August 31, 2007  
Detroit, Michigan

\_\_\_\_s/Bernard A. Friedman\_\_\_\_\_  
BERNARD A. FRIEDMAN  
CHIEF UNITED STATES DISTRICT JUDGE

Dated: August 31, 2007

I hereby certify that a copy of the foregoing document was served upon counsel of record by electronic and/or first-class mail.

s/Carol Mullins  
Case Manager to Chief Judge Friedman